

**Department of Community Planning and Economic Development**  
Certificate of Appropriateness  
BZH-28023

**Date:** January 7, 2014

**Address of Property:** 110 Bank Street

**Project Name:** LaRive Condominiums—Ground Level Mechanical Equipment Addition

**Applicant:** LaRive Condominium Association

**Contact Person and Phone:** Paul May, Miller Dunwiddie Architecture (612-278-7712)

**CPED Staff:** Janelle Widmeier, Senior City Planner, 612-673-3156

**Date Application Deemed Complete:** November 20, 2013

**End of 60-Day Decision Period:** January 19, 2014

**Ward:** 3      **Neighborhood Organization:** Nicollet Island—East Bank Neighborhood Association

**Proposal:** Ground level mechanical equipment addition

**Concurrent Review:**

- Conditional use permit to increase the maximum height in the SH Shoreland Overlay District to allow the rooftop boiler flue addition.
- Vacation of the public utility easement where the ground level equipment is proposed to be located.

<b>CLASSIFICATION:</b>	
Local Historic District	Saint Anthony Falls Historic District (noncontributing resource)
Period of Significance	1848-1941
Criteria of Significance	Architecture and Social Significance
Date of local designation	1971
Date of National Register listing	1971
Applicable Design Guidelines	<i>Saint Anthony Falls Historic District Design Guidelines</i> <i>The Secretary of the Interior's Standards for Treatment of Historic Properties</i>

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PROPERTY INFORMATION	
Current name	La Rive Condominium
Historic Name	Not applicable
Current Address	110 Bank Street
Historic Address	Not applicable
Original Construction Date	1982-1983
Original Architect	Not applicable
Original Builder	Not applicable
Historic Use	Not applicable
Current Use	Condominiums
Proposed Use	Condominiums

**BACKGROUND AND SUMMARY OF APPLICANT'S PROPOSAL:**

The La Rive Condominium building is a 26-story residential tower that was constructed in the 1980's. It was part of the larger Riverside development, which includes the Pinnacle condominium building located at the property of 20 2<sup>nd</sup> Street Northeast. The heating and cooling operations of these two buildings are currently combined and located on the Pinnacle property. The agreement for the shared heating and cooling generation expires at the end of 2014. La Rive has received no indication that the agreement will be extended and is therefore planning to install its own heating and cooling equipment.

In June of 2013, the HPC approved a certificate of appropriateness application to allow rooftop mechanical additions for this property. The proposal included installing cooling equipment at the top of the building with an aluminum clad tower structure to screen it. It also included a flue extending 20 feet from the side of the building facing the Mississippi River to ensure that venting occurs a sufficient distance from all operable openings for boiler equipment that will be located within the building. Since these approvals were obtained, the Association determined that the projected risks for the rooftop cooling equipment were too high. Therefore, researching other options was pursued.

Locating the cooling equipment on the ground level at the north side of the building is now proposed. The equipment will include the cooling tower and a noise attenuator. The overall dimensions of the equipment will be 19 feet wide by 14.25 feet deep and 23.5 feet tall. These dimensions include a thin brick veneer on three sides.

The proposed ground level location will require the applicant to vacate part of an existing utility easement. Because the flue for the enclosed boiler equipment is still needed, a conditional use permit is

required to allow it because its placement on the building is higher than what is allowed in the SH Shoreland Overlay District. These applications will need to be reviewed and approved by the City Planning Commission and City Council (vacation only) in order for the project to proceed. As of the writing of this report, the application for the conditional use permit and easement vacation had not been submitted. The certificate of appropriateness approval for the flue does not expire until June 4, 2015.

**PUBLIC COMMENT:**

As of writing this report, staff has not received correspondence from the neighborhood group. Staff will forward comments, if any are received, at the Heritage Preservation Commission meeting.

**CERTIFICATE OF APPROPRIATENESS:** To allow a ground level mechanical equipment addition.

**Findings as required by the Minneapolis Preservation Code:**

**The Minneapolis Community Planning and Economic Development Department has analyzed the application based on the findings required by the Minneapolis Preservation Ordinance. Before approving a certificate of appropriateness, and based upon the evidence presented in each application submitted, the commission shall make findings based upon, but not limited to, the following:**

- (1) The alteration is compatible with and continues to support the criteria of significance and period of significance for which the landmark or historic district was designated.**

The existing building is not a contributing structure to the historic district. Although visible from multiple vantage points, the addition is designed to be compatible with the existing building while also not significantly affecting the historic context (see finding #4 for specifics).

- (2) The alteration is compatible with and supports the interior and/or exterior designation in which the property was designated.**

The existing building is not a contributing structure to the historic district. The proposed addition would not adversely impact other contributing structures in the district.

- (3) The alteration is compatible with and will ensure continued integrity of the landmark or historic district for which the district was designated.**

Both the City of Minneapolis' Heritage Preservation Regulations and the National Register of Historic Places identify integrity as the authenticity of historic properties and recognize seven aspects that define a property's integrity: location, design, setting, materials, workmanship, feeling and association. Based upon the evidence provided below, the proposed work would impact, but not impair, the integrity of the historic district.

*Location:* The existing building is not a contributing structure to the historic district. No changes to building location are proposed.

*Design:* The property does not contain any form, plan, space, structure, or style from the period of significance. The relation between the existing building and other structures in the district will not be significantly altered by the addition.

*Setting:* The applicant is not proposing any modifications that would have an impact on the integrity of setting.

*Materials:* The proposed exterior materials, metal and brick, are from the period of significance. The treatment of these materials would be used to minimize visibility of the mechanical equipment and would not be fabricated to look historic.

*Workmanship:* The existing building is not a contributing structure and therefore does not affect integrity of workmanship of the historic district.

*Feeling:* The proposed alterations would not impact the feeling that the building is a noncontributing structure.

*Association:* The proposed alterations would not affect any historic associations.

- (4) **The alteration will not materially impair the significance and integrity of the landmark, historic district or nominated property under interim protection as evidenced by the consistency of alterations with the applicable design guidelines adopted by the commission.**

The Heritage Preservation Commission adopted the *Saint Anthony Falls Historic District Design Guidelines* in 2012. The building equipment guidelines primarily apply to this proposal:

### **Building Equipment**

Externally mounted equipment, including junction boxes, fire connections, telecommunication devices, cables, conduits, satellite dishes, solar equipment, HVAC equipment and fans, can negatively impact the character of a property. Historically, building equipment was subordinate to most commercial and residential building types. By contrast, mechanical systems were more exposed in many industrial operations and may be less of a concern.

### **Intent**

Minimize the visual impacts of building equipment on the character of the district in residential and commercial contexts. Greater flexibility is appropriate in historic industrial contexts.

### **Requirements**

#### **7.6 Minimize the visual impacts of building equipment as seen from the public way.**

- a. Do not locate equipment on a primary facade. Primary wall penetrations for HVAC equipment are not permitted.
- b. Prioritize use of low-profile or recessed mechanical units on rooftops.
- c. Rooftop equipment on residential and commercial buildings shall be set back from the primary building facade by a minimum of one structural bay or 15' whichever is greater.

#### **7.7 Minimize the visual impacts of utility lines, junction boxes and similar equipment.**

- a. Locate utility lines and junction boxes on secondary walls and group them.

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- b. Locate utility pedestals (ground mounted) to the rear of the building.
- c. Enclose lines in conduit.
- d. Paint these elements to match the existing background color.

As discussed in the applicant's statement of proposed use, alternate locations for the mechanical equipment that would be less visible are not feasible. To minimize the visibility of the equipment, a thin brick veneer matching the brick of the existing building would be applied to three sides of the equipment. Landscaping with year-round foliage and a vertical emphasize will provide additional screening.

- (5) **The alteration will not materially impair the significance and integrity of the landmark, historic district or nominated property under interim protection as evidenced by the consistency of alterations with the recommendations contained in The Secretary of the Interior's Standards for the Treatment of Historic Properties.**

The following Secretary of the Interior's Standards for Rehabilitation are most applicable to the proposed project:

- 9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
- 10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

The alterations proposed will have little effect on and would be differentiated from, but compatible with, contributing structures in the historic district (see finding #4 for specifics).

- (6) **The certificate of appropriateness conforms to all applicable regulations of this preservation ordinance and is consistent with the applicable policies of the comprehensive plan and applicable preservation policies in small area plans adopted by the city council.**

Comprehensive plan preservation policy 8.1 states that the City will, "Preserve, maintain, and designate districts, landmarks, and historic resources which serve as reminders of the city's architecture, history, and culture." Implementation step 8.1.2 of this policy calls for requiring new construction in historic districts to be compatible with the historic fabric. The proposed work will not have a significant effect on the historic district. To the extent practical, it will be compatible.

- (7) **Destruction of any property. Before approving a certificate of appropriateness that involves the destruction, in whole or in part, of any landmark, property in an historic district or nominated property under interim protection, the commission shall make findings that the destruction is necessary to correct an unsafe or dangerous condition on the property, or that there are no reasonable alternatives to the destruction. In determining whether reasonable alternatives exist, the commission shall consider, but not be limited to, the significance of the**

property, the integrity of the property and the economic value or usefulness of the existing structure, including its current use, costs of renovation and feasible alternative uses. The commission may delay a final decision for a reasonable period of time to allow parties interested in preserving the property a reasonable opportunity to act to protect it.

The project does not involve the destruction of the property.

*Before approving a certificate of appropriateness, and based upon the evidence presented in each application submitted, the commission shall make findings that alterations are proposed in a manner that demonstrates that the Applicant has made adequate consideration of the following documents and regulations:*

- (8) **Adequate consideration of the description and statement of significance in the original nomination upon which designation of the landmark or historic district was based.**

As discussed in the applicant's statement of proposed use, alternate locations for the mechanical equipment were considered but were found to be infeasible. To minimize the visibility of the equipment, a thin brick veneer matching the brick of the existing building would be applied to three sides of the equipment. Landscaping with year-round foliage and a vertical emphasize will provide additional screening. The screening materials would be compatible with the existing building and historic district.

- (9) **Where applicable, Adequate consideration of Title 20 of the Minneapolis Code of Ordinances, Zoning Code, Chapter 530, Site Plan Review.**

The proposal does not trigger Site Plan Review required by Zoning Code Chapter 530.

- (10) **The typology of treatments delineated in the Secretary of the Interior's Standards for the Treatment of Historic Properties and the associated guidelines for preserving, rehabilitating, reconstructing, and restoring historic buildings.**

The project complies with the rehabilitation guidelines of *the Secretary of the Interior's Standards for the Treatment of Historic Properties* as discussed in finding #5 above.

*Before approving a certificate of appropriateness that involves alterations to a property within an historic district, the commission shall make findings based upon, but not limited to, the following:*

- (11) **The alteration is compatible with and will ensure continued significance and integrity of all contributing properties in the historic district based on the period of significance for which the district was designated.**

The existing building is not a contributing structure to the historic district. Although visible from multiple vantage points, the addition is designed to be compatible with the existing building while also not significantly affecting the historic context (see finding #4 for specifics).

- (12) **Granting the certificate of appropriateness will be in keeping with the spirit and intent of the ordinance and will not negatively alter the essential character of the historic district.**

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To the extent practical, the proposed alterations will be in keeping with the intent of the ordinance and will have little effect on the character of the historic district.

- (13) The certificate of appropriateness will not be injurious to the significance and integrity of other resources in the historic district and will not impede the normal and orderly preservation of surrounding resources as allowed by regulations in the preservation ordinance.**

The certificate of appropriateness will not be injurious to the significance and integrity of other resources in the historic district and will not impede the normal and orderly preservation of surrounding resources as allowed by regulations in the preservation ordinance (see finding #4 for specifics).

**RECOMMENDATION:**

The Department of Community Planning and Economic Development recommends that the Heritage Preservation Commission adopt the findings above and **approve** the Certificate of Appropriateness to allow a ground level mechanical equipment addition located at 110 Bank Street, subject to the following conditions:

1. By ordinance, approvals are valid for a period of two years from the date of the decision unless required permits are obtained and the action approval is substantially begun and proceeds in a continuous basis toward completion. Upon written request and for good cause, the planning director may grant up to a one year extension if the request is made in writing no later than January 7, 2016.
2. By ordinance, all approvals granted in this Certificate of Appropriateness shall remain in effect as long as all of the conditions and guarantees of such approvals are observed. Failure to comply with such conditions and guarantees shall constitute a violation of this Certificate of Appropriateness and may result in termination of the approval.
3. Department of Community Planning and Economic Development staff shall review and approve the final plans and elevations prior to building permit issuance.

**Attachments:**

- Project description and statement addressing the applicable findings
- Memo addressing screening considerations
- Zoning map
- Plans
- Renderings
- Photographs